

50  
W. Townsend

LAW AND DEMOCRACY.

JK  
39  
.M3  
1886a

AN ADDRESS

DELIVERED BEFORE THE

YALE LAW SCHOOL,

June 29, 1886.

BY  
WAYNE MAC VEAGH.

PHILADELPHIA:  
COLLINS PRINTING HOUSE, 705 JAYNE STREET.  
1886.

50-2-27



Class \_\_\_\_\_

Book \_\_\_\_\_





LAW AND DEMOCRACY.

AN ADDRESS

DELIVERED BEFORE THE

YALE LAW SCHOOL,

June 29, 1886.

BY

WAYNE MAC VEAGH.

PHILADELPHIA:

COLLINS PRINTING HOUSE, 705 JAYNE STREET.

1886.



## LAW AND DEMOCRACY.

---

MR. DEAN AND GENTLEMEN :—

The recurrence of the academic festival of the year brings with it, like so many other pleasures, a grave sense of responsibility as the counterpart of its joyous sense of happiness; and nowhere is either likely to be more fruitful than at the annual gathering of her children at the home of this famous and venerable University.

The sons of Yale are indeed proverbial, throughout the land, for their abiding and ever-increasing affection for their Alma Mater; and when, in this leafy month of June, with the elms clad in the glory of the midsummer, they are permitted to walk in the old ways, to greet old friends, to summon old memories, to renew old associations, they recognize the high privileges which they enjoy, and they are sure to go away bearing in their hearts a sense as of an abiding benediction.

Perhaps it is a wise, as well as a gracious, custom to withdraw from the pleasures of these happy days an hour in which some elder brother may speak to those just entering upon the labors and the joys of active life such words of suggestion and good cheer as his experiences, beyond these classic shades, have brought him; and an address delivered at this time, upon the invitation of the Yale Law School, finds a subject, naturally, in the question now pressing itself upon the attention of many thoughtful lovers of their country: What are the relations which Law would be likely to sustain to Democracy, if the latter succeeded to the practical control of the government? Fortunately, it is permissible to consider such a subject in accordance with the demands of an occasion like the present in a freer spirit than before either a popular or a scientific audience; and in your presence it is only

necessary to say that Democracy is used in the sense of the masses of the people who labor with their hands, and that the object of this discourse is not to express opinions, but only to suggest to you lines of thought which you may follow if you choose, not unprofitably, to their legitimate conclusions, whatever such conclusions may be.

You observe that, for the purposes of this discourse, it is taken for granted that a genuine Democracy, the actual government of the many, may be coming and coming to stay. Earnest and learned students of comparative politics continue to warn us that popular government is particularly unstable, and that it is, by its very nature, encompassed by dangers which threaten no other form of authority; that it has from the earliest times far more often failed after a short trial than succeeded after a long trial; and that the unrest which attends its vigor and the insecurity which foreshadows its fall are the inevitable precursors of the appearance on the scene of the military despot. They assert indeed that the processes of evolution in the physical world do not move with more sublime or relentless order than the periods which mark the rise, the progress, and the decay of free institutions—no matter upon what theatre or under what circumstances the experiment may be tried.

These critics of Democracy, from the standpoint of history, persuade themselves that real popular government is alike incompatible with the safeguards of civil order and the bases of a high and stable civilization; and they especially and earnestly insist that a government of the many will not afford adequate protection either to personal liberty or to private property, and that, failing in these two of the principal functions of modern states, Democracy itself, sooner or later, must also fail.

If such prophecies of evil were accurate forecasts of our political future, which they probably are not, it might still remain the plain duty of all practical and sensible men to accept Democracy, the government of the many, without illusion and without reserve, if no other form of government was now possible in America. The actual political authority of the nation may be passing to the numerical majority of the people as a class, and they may be awakening very surely, and not very slowly, to the consciousness of their possession of it. Heretofore ignorance of the possession of such power has interfered with



the practical exercise of such authority, but in a country whose boast has been these many years that it offered some measure of education to all its children, it ought not to be expected that more than a generation would grow up in the enjoyment of such education, without a great change, probably, coming over the face of society; nor ought it to occasion surprise if the masses of the people in America are becoming reasonably well-informed as to their political rights, and the possibilities of action which those rights confer. It would, therefore, serve no good purpose to pretend any longer that this numerical majority of our fellow-citizens may not soon act together, as the men who have the right to govern the country, and who know that they possess such right. Indeed, if we throw off the illusions created by old habits of thought, and permit ourselves to see our institutions as they really are, we will see that they might soon constitute a democratic system of government in its purest and simplest and amplest sense. The constitution of the United States, and the constitutions of different States, undoubtedly interpose obstacles to the popular will taking immediate effect; but those limitations are limitations of time and method only, and they will not, of themselves, long prevent the majority from exercising its sovereign will, in respect to any proposition upon which it is substantially united; so that Mr. Lincoln's immortal phrase might become a singularly accurate statement of the character of our institutions—"government of the people, by the people, and for the people." That is far from an accurate statement of their character to-day, but they would satisfy every requirement of the definition if such majority, acting as a political party, had secured the control of every department of the government and all of its officers, executive, legislative, and judicial, for such control would be naturally devoted to trying to secure the greatest good of the greatest number.

Mr. Webster, who thought much upon the philosophy of politics, predicted, more than sixty years ago, that an irrepressible conflict must arise between a political system based upon manhood suffrage and therefore aiming at equality, and an economic system based upon legislation in the interest of capital, and therefore aiming at inequality. He declared that "the freest government, if it could exist, would not be acceptable, if the tendency of the laws was to create a rapid accumulation of property in few

hands, and to render the great mass of the population dependent and penniless. In such a case the popular power would be likely to break in upon the rights of property, or else the influence of property to limit and control the exercise of popular power. Universal suffrage, for example, could not long exist in a country where there was great inequality of property. The holders of estates would be obliged in such case, in some way, to restrain the right of suffrage, or else *such right of suffrage would before long divide the property*. In the nature of things those who have not property and see their neighbors possess much more than they think them to need cannot be favorable to laws made for the protection of property. When this class becomes numerous it grows clamorous. It looks on property as its prey and plunder, and is naturally ready at all times for violence and revolution.”

As nobody now believes that property can succeed in America in restricting suffrage, we ought to find, if we may, some other way of securing for ourselves, if the people ever take possession of their own, two of the indispensable elements of a free and happy modern state—a profound reverence for law and a profound respect for the rights of the individual citizen in the acquisition and enjoyment of private property.

For a long time past we have assumed that the dictates of self-interest were all that modern society needed for its development and permanence, to buy where we could buy cheapest and to sell where we could sell dearest, to interfere as little as possible with the desire of gain, however hateful might be some of its manifestations, and to teach everybody one lesson only—to put money in his purse. It is now becoming quite clear that this theory of social and political economy, upon which we have been living, is not of itself sufficient to insure the good order and happiness of a modern society essentially and vitally democratic. It is, indeed, too apparent to need argument, that our conclusion in this respect must be revised, and if we are to live together in peace, if private property is to continue to be respected, if law is to be revered and obeyed, before we can regard these blessings as absolutely secure, much private property and its method of acquisition must be rendered more worthy of respect, and the enactment, the construction, and the execution of the laws must be in the public interest; and even the securing of these blessings may not be sufficient. Perhaps, also, in some

way or other, by the quiet operation of beneficent social and legal reforms, or through the rougher work of civic convulsion and disorder, and it may be blood, some of the coarser and more vulgar inequalities of condition, resting mainly on the corrupt use of forbidden means, must be at least lessened, if not removed. Perhaps the State may be required, as the common mother of all, to find some way of placing checks upon human cupidity and avarice, which will be adequate to prevent unscrupulous men from robbing the community in the pursuit of wealth, and from bribing legislators and judges. And the State may also possibly be asked to take some effectual measure, gradual, harmless, peaceful, it is to be hoped, but still some effectual measure, to reopen the ranks of the employers to the hopes and ambitions of the employed, and to place a limit beyond which capital will not be permitted to secure limited liability to enable it to invade pursuits which the public welfare may be held to require shall be left open to the competition of individual citizens. The public authority may resume for the public advantage such of its franchises as can be fairly well administered by public agencies, not by confiscation but by compensation to those now in possession; while the exercise of all other public franchises by private corporations may be supervised by public authority, and in the public interest, in such spirit as would effectually protect the great body of the people from the oppression and injustice to which in many cases they believe they have heretofore been subjected by those who have been permitted to acquire public privileges for the purpose of private gain. And it may be strongly insisted that the State can safely go one step further: that, having encouraged such aggregations of capital as now exist in America, and in the hands which now hold them, it is no longer at liberty to pretend that the law of supply and demand answers every exigency of the great majority of the people in dealing with the few persons who have secured for themselves the possession of such a disproportionate amount of the wealth and power and resources of the country; and that it ought to assume and exercise the function, at least of hearing the complaints of the majority, and expressing opinions upon them according to equity and justice. Such tribunals to hear and decide the disputes between employers and employed would, no doubt, in some cases, be likely to aggravate rather than alle-

viate the evil with which they are expected to deal, but they may be found to be indispensable. If law is to continue to enjoy the respect of the majority, it is possible that the majority must be at liberty to invoke its sanction in the settlement of disputes in which they feel that the State has been so long on the side of their oppressors that they can expect relief in no other way. Tribunals of arbitration may therefore be demanded to hear and to pass upon the merits of any such controversy which either party to it desires to submit to their decision. We certainly need not now trouble ourselves about the obligatory character of the opinions of such tribunals. In the majority of instances such opinions would execute themselves, because they would have behind them a resistless force of public sentiment, and, in any event, it is difficult to see any serious harm they could do. It is, of course, very easy to ridicule this demand and many others with which laboring men are now disturbing the land. They are asked whether they pretend in their organized capacity to deny any man the right to work when he wishes, where he wishes, for what wages he wishes; whether they demand the right to dictate to employers whom they may employ, and whom they must dismiss from their employment; and whether they demand the right to interfere by annoyances and violence with the prosecution by each person of his own lawful business, in his own lawful way. But the great majority of our laboring men know that many of us who are asking these questions have not been devoting ourselves to purifying the sources of the law and to improving the methods of our social organization, to diminishing and removing the inequality which exists, or to securing to labor an equal ground for the conduct of its side of the struggle; but that we talk much more of the sanctity of the law than we concern ourselves about its purity, that we care much more for the right of free contract than for equality of conditions in the contracting parties, and that we are more zealous for the sacredness of property than for the duty of society to see that the results of labor are distributed with some semblance of justice. It is quite true that Labor is unable to give a scientific account of the disease which it insists now afflicts American society. It may be unable to name any remedy which cannot be discredited as soon as named, but it is profoundly convinced, and nothing can shake its conviction, that something is radically evil in a social and economic system

which, in twenty years, and in a country of unexampled material prosperity, possessing empires of fruitful virgin soil, causes the mass of its citizens to sink into the condition of laborers with their hands, for daily wages; while a very small minority entrench themselves more and more securely in the enjoyment of the fruits of the labor of the majority, and for the purpose only, in many cases, of living themselves, or enabling their children to live, aimless and worthless lives of self-indulgence.

And thus it happens that American labor may be slowly but stubbornly organizing itself, in wise ways and in unwise, for the struggle which it believes is immediately before it. If so, it will fail, of course, to make due allowances for the general immobility of an established social system; and it will overlook or underestimate the great conservative force of the general distribution of property among us, especially in land, and the general well-being of the body of the men who labor, outside of cities as well as within them. Yet the way of America is towards equality; "the stars in their courses" are fighting for it; and as surely as the order of nature continues our system of political equality will overcome, in many respects, our present economic system which advances the few to greater relative riches and condemns the many to greater relative poverty. It is very natural that capital should be incapable of perceiving that any change is likely to occur, and especially any change in the political control of the country. The present system, which gives such control to capital, has existed sufficiently long to make it appear to those interested in its continuance as a permanent system; and while they have observed some signs of possible future danger, they are still able to persuade themselves that occasional disturbances of our accustomed quiet are due to temporary dissatisfaction, and that property, by the continued division of the working classes between the existing political parties, is likely to continue indefinitely in the possession of political power. Capitalists are also confirmed in this hope by the knowledge that in many ways, it is undoubtedly better for the physical well-being of laboring men themselves that such possession should continue.

As supports for this comfortable doctrine some owners of property are looking, and looking in vain, in several directions for protection against the calamity of the possession, however temporary, by the masses of the practical control of the government, if so

unlikely an event should happen. It is hoped that the regular army will in some manner be increased so that it may become an effectual shield against the possible excesses of the popular spirit and a powerful safeguard of social order. The truth, however, is, that the legislation of the future, inspired by the democratic spirit, is far more likely to decrease than to increase our permanent military establishment. There is indeed no reason whatever to expect that laboring people will be willing to maintain in idleness any body of armed men larger than is barely sufficient to garrison the necessary fortifications on the seaboard and the frontiers, and to furnish the skeleton of an organization around which a volunteer army could be rapidly gathered to repel foreign aggression, or to maintain, against foreign enemies, the rights and dignity of the nation. It is reasonably certain that labor would not consent that a national armed force should be provided and maintained, at its expense, for the preservation of the internal peace of the country. If any such agency is needed the citizen soldiery of the different States will be considered quite competent to give society all the protection which it deserves, and abundant care will be taken that no military force is provided to extend to society any protection which, in the opinion of the majority, is not deserved; and for this reason diminutions of our present meagre military forces ought rather to be anticipated than additions to them.

There is another hope cherished in some quarters, which appears to be equally without foundation, that immigration will hereafter certainly be discouraged and possibly prohibited; that the oppressed, the unfortunate, the ignorant, the restless of other lands will cease to come hither, or, coming, will find the door of the new world closed in their faces. Such a change in the traditional policy of the country is as improbable as it is undesirable. It is in direct opposition to the principles and the practices of the majority of the great and good men who were the founders and the builders of America, who gave to her the glory of the heroic age of her colonization, and whose valor and fidelity illumined, as by fire, the darkest days of the Revolution. These benefactors of America were accustomed to reserve their heartiest welcome to her shores for those who most needed her generous opportunities of freedom and labor and home. They did not expect ignorant men to be wise. They did not expect men maddened by what they believed to be gross injustice to be rational.

They did not expect men of different races to possess the same standards of manners or of morals. They were capable of believing that this vast continent was the heritage, not of themselves alone, but of mankind, destined as well as fitted to receive all who came to her, and able to ameliorate their distresses, to diminish their differences, to cultivate their self-respect, and possibly to fuse them, in the processes of the uncounted years, into one great and free and happy people. If the children cannot rise to the lofty faith of the fathers, let us approach it as nearly as we may; and let us await, at least a little longer, the unfolding of the divine purpose before we forbid any of the unfortunate sons of men to seek a home in the same land where our fathers sought and found their own. Vast changes have, of course, taken place in our economic and political situation since America was founded, and it is possible that we could now both add to our profits and our pleasure by keeping this continent for ourselves and our descendants; but a vast change has also taken place in the thoughts of men which are now directed towards fraternity and away from isolation as they never were before. The final decision of this question, however, will not probably rest with us, but with the masses of the people, and whatever appeals may be made, with more or less of temporary success, to their selfishness or their ignorance, they may be implicitly trusted to recognize in the end the obligations imposed by human brotherhood, and to accept all comers as equal sharers in the blessings of the democratic institutions under which they are themselves privileged to live. Whatever else is done in the name of American Democracy, no fugitive from want or oppression will long be denied the privilege of finding here a shelter and a home.

A delusion is also somewhat widely cherished, that even if the door may not be closed to immigration, at least those who hereafter enter will either be denied the rights of citizenship altogether, or may be compelled to wait a much longer period than their predecessors before such rights are conferred upon them. Just the contrary policy seems to be the probable as well as the true one. All men who seek a permanent home with us ought to be invested with the privilege and the responsibility of the suffrage, as soon as they obtain such general knowledge of our political system as will enable them to cast their votes with a

moderate measure of intelligence. And we ought to hasten the coming of that day rather than delay it, for in this country every class and every member of every class find at once the best protection against wrong and the strongest incentive to good conduct in the possession of the ballot. If this was not so, it would still be practically impossible for American Democracy to exist except upon the basis of absolute equality of political rights. Prejudices of race, prejudices of locality, prejudices of religion may for longer or shorter periods suspend the operation of this natural law of the situation, but time and reflection may be relied upon to do their appointed work, and all men who make America their home will very soon secure an equal voice in her government.

The American electorate, then, it may be assumed, will be free from even the appearance of possible control by any military force, and it will continue to embrace in general terms not only all men born here, but also all those born in foreign lands who decide to make this country their future home. In other words manhood, without more, may be accepted as the basis of our suffrage, and the majority of all men of full age in America will continue to possess the lawful right to govern the country as they see fit.

In the abstract possession of this right by the majority, of course, there is nothing new. The masses of the people may, however, soon perceive that American society, for political purposes, might be easily and naturally divided into two parties only—those who do not earn their livelihood by manual labor and those who do; or in the somewhat misleading but current language of the day, into the party of capital and the party of labor. This division has so much to recommend it to the majority, its simplicity is so attractive, its nomenclature so speedily settles the question of the proper depository of political power, it renders organization so easy and so effective, it marks so indelibly the men who belong on the right hand and on the left, and its possibilities are so flattering to the hopes and ambitions of the majority themselves as well as to the hopes and ambitions of their leaders that it really seems unreasonable to expect a very long interval of time before such a division of parties may appear and sweep “into the limbo of forgotten things” many of the artificial and unmeaning political divisions and contentions of to-day.

At the same time, the influence of the spirit of party in retarding such a change must not be underestimated. Its capacity to



support partisan divisions upon mere names and watchwords is a very important consideration. Many of our fellow-citizens will continue while they live to wear the respective badges of the great parties which have divided, of late years, the suffrages of the country between them, and they will continue to call themselves with pride by one party name or the other, notwithstanding the leaders may for years past have been laughing in each other's faces at the suggestion that there was any difference of opinion between them, except as to the persons who should hold the offices. Yet party spirit is after all party spirit, and anything less spirited can hardly be imagined than the contemptuous indifference with which men of all parties have latterly come to regard the proceedings of their respective partisans. The only anxiety now felt about any legislative body, state or national, is that it should adjourn as speedily as possible, and this anxiety is shared almost equally by all sensible men. It is quite within bounds to assert that outside of journalism, which reported it as a traditional duty, very few persons indeed knew or cared anything whatever about the earth-resounding partisan warfare which a Republican Senate recently waged with a Democratic President. All intelligent persons assumed that as the filling of the offices was the only question upon which the two parties differed, any controversy between them must necessarily refer to that subject; and such was the fact. Now party spirit, like all other human sentiments or passions, must have at least some serious pretence of sustenance; and in these latter days even such pretence has been wanting. Any cause therefore which possesses real vitality is sure to be eagerly welcomed, as is shown by the rapid growth of the party of Prohibition; and the times would seem to be near at hand which will be ripe for a new departure in political organization. Men who then come forward with problems of real and abiding interest however misunderstood, with issues full of the gravest meaning however crudely formulated, with propositions of vital importance to each man's happiness and home however vaguely stated, would be very likely to receive a most attentive hearing and to secure a very large following. And if such men assumed to speak in behalf of fairer and juster treatment for the overwhelming majority of the electorate, they would probably be heard with the interest and the deference which belong in a republic to those who represent the people. The advent of such a

party would in any event be an occasion of the greatest interest, and we may consider, without disadvantage, some of the functions which might be assigned to Law upon the accession of the party of Labor to the practical control of the government.

It is certainly very improbable that Democracy would long give countenance to lawlessness. In our cities, and particularly among the refugees from Europe, there are no doubt some disciples of socialism in its advanced forms, and some believers even in anarchy; and it is a part of the creed of such men to take advantage of every opportunity to strike terror into organized society even by means of arson and murder. Many of them believe not only in the denial of all rights of property and in social confusion, but in the absolute revolution and annihilation of all existing forms of civil authority; and they are, alas, too often willing to attest their devotion to these hopeless doctrines, born of madness or wickedness or despair, by dying for them. Such enthusiasts are sure to gather to their standard the bolder representatives of the criminal classes, and, armed with the agencies which modern science has placed at their disposal, they may, and probably will, commit crimes of terrible magnitude and importance to the communities in which they are committed; but the authors of such calamities will be few in number, and the theatre of their activity will be circumscribed. They have no part in this discussion, and it only pauses long enough to say that in dealing with these enemies of society, who are themselves without mercy, society can only safely act with the utmost vigor and rigor, and by prompt suppression of them by every lawful agency at its command. Such a course is dictated alike by wisdom and by mercy, and by a true regard for their welfare as well as for that of the innocent objects of their fury.

But American Democracy has very little in common with the theories of the advanced socialists and anarchists of the old world, and in no respect is the difference likely to be more marked than in the agencies employed by them respectively in the pursuit of their ends. Their ends, it must be admitted, are substantially the same—the abolition of privilege, and the attainment of equality; for it is idle to deny that the American electorate shares this instinct of expansion, this passion for equality, which is one of the most ancient, as it is one of the most constant, forces in the progress of the human race, and which is the foe of privi-

lege in all its forms. It has often been checked. It has often been turned aside from its course. It has often been seemingly defeated and overthrown; but its resistless power has, in the end, made it a solvent of all opposing forces, and enabled it to reassert itself, and advance to new vantage ground for new and more extensive conquests. This desire, as possessed by the masses of our people, is fitly described by M. de Tocqueville: "There is such a thing as a manly and legitimate *passion* for equality, prompting all men to wish to enjoy power and consideration." The socialist agitation of the old world, however, is against social and economical castes and divisions based on the feudal system, strengthened by the habits and traditions of generations, protected by vast standing armies, and sanctioned by immemorial law. In such a system Democracy is as a wild beast struggling madly, and often blindly, to free itself from the restraints of ages, not unnaturally confusing the blessings of social order with its abuses, and using any weapon within reach to wrest from their oppressors a larger measure of rights. Democracy in America, while accustomed to toil and self-denial, was born to the gladsome light of liberty, and to a life of practical equality of political rights. Its followers have never known caste or a class privileged by law. Such rare and occasional inequalities of condition as formerly existed only served to emphasize the general evenness of life, and it is substantially only within the last thirty years that signs can be detected of the beginning of the great differences, now daily growing greater, between the two leading divisions of the American people, the men who live upon the returns of capital, and the men who live by labor. Our "army of the discontented" is not only composed of different material from that of European socialism, but it is animated by wholly different opinions, and confronted by a wholly different problem. Its members are our neighbors, whose lives have been passed in peaceful and not unhappy labor, whose equal political rights have never been even questioned, and whose wives and children are ample hostages for their general good conduct as part of a humane society, even under great provocation. They may be, doubtless, often discouraged at the existence of the gross inequalities in condition which have so rapidly grown to such monstrous proportions, and they may be capable of very soon resolving, if they have not already resolved, that they must

use every means at their command in order that those inequalities will not only cease increasing, but will begin to diminish. They are probably convinced that the great accumulations of wealth which afflict our social and political system, and which they think threaten its peace and happiness, have been mainly acquired by lawlessness, and not by law, and often in open and shameless disregard not only of all the restraints of law, but also of all the healthful and protecting traditions of the earlier history of their country; and they may regard themselves, in imposing reasonable limitations upon the modern commercial spirit, as only bringing the nation back to the ancient ways in which their fathers walked, when equality of condition was almost universal in the land.

If they ever seriously look for an instrumentality for effecting such a purpose, there is no likelihood that they will overlook Law, since it is at once the most speedy, the most peaceful, and the most effectual instrumentality at their command. They may be trusted to make the discovery very soon that while the ballot is not so noisy, it is far more peremptory than the dynamite bomb. It does not explode, but it controls; and its control can be made as resistless as fate if the popular will decides to clothe itself in the forms of legislation.

If we now venture to assume for the sake of the argument that the people have really determined that what they regard as the evil tendency of to-day—that of the rich growing relatively richer, and the poor growing relatively poorer—must not only cease, but that it must be reversed, and that they appreciate how easily by their majority at the ballot-box they can, by the use of law, apply such remedies as they think most effectual, a political party might soon appear, charged with the definite mission of trying to transform American society so that a new tendency will take the place of the present tendency, the new tendency being that the rich will grow poorer and the poor will grow richer; and, as a consequence, that the “great gulf fixed” between these classes of men will grow narrower instead of wider, until, in the not distant future, they would hope to see it again bridged, and men passing from the one class to the other as frequently and as easily as in the good days of old.

The presence of such a political party would probably put an end to the preaching of the worn-out maxims that each man ought to be contented with the sphere in which he is placed,

that capital is the best friend and protector of labor, that inequality is the unavoidable heritage of the race, that the lot of toil ought to be cheerfully accepted by those upon whom it has fallen, and that what is now regarded as the divinely-appointed law of supply and demand, supplemented by buying where you can buy cheapest, and in selling where you can sell dearest, will redress any wrongs which can possibly exist in any system of the distribution of wealth. In the presence of an organized party of labor, the truth would be at once recognized that these sayings are no longer useful; that the workman of to-day has desires almost as numerous as, and sometimes more humane than, those of the capitalist; that his intellectual and social horizon has widened "with the process of the suns;" and that he will no longer be contented with a law which he thinks makes all of its demand upon him and gives all of its supply to his employer.

Now, the laboring men of the country may be perfectly satisfied that the present system of the distribution of wealth is wrong, and that the capitalists receive more than their fair share of the results of labor, while the laborers receive less than their fair share, and yet they may not know exactly how this wrong can be remedied. They might, therefore, make experiments in different directions in the hope that if many of them failed one here and there might succeed; but such experiments, if Law was in the service of Democracy, would not be likely to take any permanent form hostile to personal liberty.

The majority will consist of free men, to whom their birth-right has been, perhaps hitherto unconsciously, but none the less truly, the very breath of their lives. They have enjoyed, in their own degree and order, the pure delight of following their own pleasure in many ways, in speech, in garb, in religion, in social relations, each his own guide, bending the knee to no authority, and calling no man master. Of course there might be, at first, some intolerance of the growing practice of passing life in mere idleness and self-indulgence, some harshness of disposition towards those persons whom socialism calls "the drones of the human hive," some disposition to subject to the not unwholesome discipline of compulsory labor the gilded youths, who devote themselves to killing time in order to unfit themselves for eternity; but pity would soon usurp the place of anger towards these unhappy creatures, and each member of society would

probably soon be left as free as ever before, to do with himself as he pleased, in proper subordination to the rights of others and the public welfare.

It would, also, probably be found that Law, under the government of the many, would afford every just protection to private property. The desire to acquire it is with men of our blood almost universal and quite ineradicable. It rises, indeed, among us to the dignity of one of the elemental passions of human nature; and like all such passions it sadly needs regulation and restraint. A very large majority of the American people will always consist of owners of property, who will be striving, as well as hoping, to increase their possessions. To some this desire will present itself in the form of a homestead, to others in the form of a competency for wife and children and their own old age, to others in the form of a source of social importance, to others in the form of means of self-indulgence, or of bequeathing such means to their posterity; but however widely the motives for acquiring property may differ, Democracy would, by the mere pressure of the desires of its members, be likely to secure to its possessors the right to acquire and to possess it in peace; and there really seems to be no serious danger that Democracy would be more likely than Aristocracy, perhaps not so likely, to admit in society a right to despoil any man of private property he had honestly acquired.

There is, indeed, one signal blessing which Law in the service of the majority might confer upon the country, which it does not seem likely to confer while in the service of the minority. In such service, it might greatly assist in diminishing the corrupt use of money in public affairs, and thereby in lessening the exhibitions so frequently furnished by our politics of perfidy and venality. The advent of Democracy to real political power would seem, for instance, to render the position of a legislative lobby almost untenable, for the mere existence of such a source of corruption would convict those tolerant of its presence of being enemies of the people, as it is an agency capable only of representing private interests seeking profit at the public expense. The character of the questions at issue would also tend to render more transparent the motives of action upon them. The discussion of the question—whether or not a proposed law was calculated to advance the interests of the majority of the people,

might embrace the widest possible range of considerations, moral, social, and political, but it would be less easy for professional corrupters of public servants to follow their calling with success than it is at present; and all corporations might then conclude, as many to their credit now do, that their rights would be more secure, rather than less secure, in the absence of agents of corruption from the halls of legislation.

You may congratulate yourselves, gentlemen, that the profession you have chosen, which we have been told is "as ancient as magistracy, as noble as virtue, and as necessary as justice," has in a great degree escaped the evils which have too often attached themselves to the legislative department. The American Bench and the American Bar alike have remained essentially pure. The temptations of modern life, and the mad desire for wealth which so completely controls it, have doubtless caused low standards of professional morals to find a too ready acceptance in practice, and corrupt men have occasionally found their way to the judicial station; but after every reasonable abatement is made, it remains true that if the laws had been executed with as general regard for the public welfare and as free from corrupting influences as they have been administered, some of the dangers which now threaten the peace and order of our society would never have existed.

Law, in the government of the many, would, however, be able in many ways to assist the movement towards equality without impairing the legal sanctions either of personal liberty or of private property, and the first domain in which such assistance would be rendered would probably be the domain now occupied by corporations. All popular instincts are said to be entitled to a presumption that they rest upon some solid basis; and the increasing distrust of corporate organizations perhaps has its source not only in the fact that they have received more or less from the public, but also in the popular belief that it is the tendency of such organizations to keep the class of the employed practically distinct from the class of the employer. Even when capital only obtains from the public the franchise of limited liability, they believe that it takes a long stride towards the creation of permanent barriers between itself and labor. They are told that one of the chief elements in the past of the respect for labor and for property in this country was the ease with which persons

passed from the class of the employed to the class of the employers, and the frequency with which men reverted from the class of employers to the class of employed. Very little reflection is sufficient, it is said, to satisfy any reasonable person that a greater and far more permanent line of demarcation between capital and labor is likely to be established when the former protects itself by forms of corporate existence; as such forms enable capital to be so divided that the risk of ultimate loss is greatly diminished, for while one investment may fail the liability in that direction is limited to the amount of the investment itself, and other investments may succeed so as to leave the entire sum greater than before. Corporate management is also charged with diminishing the chances of individual intercourse between employer and employed, as in very many cases the employed are said never to come into personal contact with their employers, but only with other subdivisions of their own class, who are merely the agents of capital and employed by it. The wage-earner of to-day is told that, no matter how faithful, how zealous, how ambitious he may be, he has hardly any appreciable chance of rising from the rank in which his lot is cast into that of an owner of the capital in whose service he is employed, and that there is no limit to the desire to multiply the forms of corporate enterprise, or the objects to be pursued under its protection, until every form of human activity may soon be represented by corporations offering advantages with which the individual cannot hope successfully to compete, and society may be invited to dispense with all master workmen, and to deal only with managers of associated capital under whom will be arranged in appropriate ranks men who work for wages only in every employment. Such organizations of capital are charged with the evil of dividing American citizens into two classes, those who labor for wages, and those who reap to themselves the larger part of the fruits of such labor. Many of the phenomenal fortunes amassed in this country since the war are being constantly pointed out to discontented workingmen, and such capitalists are charged with having secured through the opportunities offered by corporate management vast quantities of corporate securities which are declared to be disproportionate to any rightful and honest exercise of foresight and industry, and without pretence that such fortunes are represented



by any equivalent services to mankind. Labor is told that such capitalists are not inventors, whose marvellous insight into the hidden relations of things has enabled them to become benefactors of their race; that they are not merchants, the sails of whose argosies have whitened every sea, while interchanging the products of many lands; that they are not manufacturers, whose multiplied industries have given to workingmen new hopes and greater rewards; that they are not statesmen, into whose lap a grateful people has poured the testimonies of its gratitude; that they are not soldiers, for whose defence of imperilled liberty a rejoicing nation has emptied herself of her wealth. They are described as being simply persons who have succeeded in securing untold wealth, sometimes by corrupt manipulation of legislators and judges, sometimes by shrewd manipulation of the relations of one corporation to another, sometimes by mere gambling upon a gigantic scale; and it is asserted that in the majority of instances, such fortunes have been the result of the official relations of their owners with one or more corporate enterprises. Even the dullest understanding is credited with assuming that such results could only have been reached by the aid of such corporate relations, and while protected from scrutiny and discovery by them. And it is again and again repeated that even a small segment of the sovereignty of the State, the franchise of limited liability merely, has enabled capital almost entirely to prevent those moderate changes of rank and fortune which so signally distinguished the industrial and commercial development of the country for many years.

Labor may then be told that what Law gave Law can take away, and the withdrawal of this particular form of protection to associated capital might possibly be one of its first uses in the service of its new master. In almost every State laws of this character could be repealed, and the franchise of limited liability granted under them revoked, without interference with any vested rights. The property of the corporation would remain just as before, and it would belong to the same persons and in the same proportions. The only change would be that the owners would thenceforth be not stockholders, but partners. The argument would run that the present system is purely arbitrary and artificial, and of very recent growth, that it rests solely upon grants by the legislative authority, and that if such grants are inconsistent with the public welfare, they ought to be annulled. If the

people decided to withdraw such franchises and to return to the old system, they would no doubt rest their action upon the inestimable value to society of free and frequent passages of communication, and of frank and friendly personal relations between its two great divisions, and upon the desirability of a constant present consciousness on the part of the laborer that a share in the enterprise he serves is not beyond his reach, or if beyond his reach, that it is not beyond the reach of the class to which he belongs.

If it is true that the general popular distrust of corporate organization ought to be accepted as resting upon some general principle, it may be equally true that any special outburst of popular hostility ought to be accepted as having for its basis what is believed to be some particularly irritating perversion of public rights to private gain. Now the recent labor disturbances, through which we have been passing, have connected themselves more frequently with the operations of the street railways of our cities than with any other department of business. And as the discontent of the employed seems more general in this employment than in any other, so the employers, in order to secure the franchises they coveted, are popularly charged with having more frequently resorted to the crime which strikes at the foundation of civil order, than seekers after any other form of corporate privileges. These conditions, if existing, are not properly chargeable to any defect peculiar either to those who serve in such employment or to those who reap the fruits of it, but probably to the fact that those who grant the franchises, those who receive them, and those who serve under them, are all associated with a transaction which it may be argued is without reasonable justification at the present time. The laboring man may be told that the highways of a city belong to the people; and therefore, when a grant is made to a few private persons of the right to exact from every traveller upon them a measure of tribute sufficient to make the receivers rich "beyond the dreams of avarice," the evil passions of human nature are likely to attend upon such a transaction. It will be charged, truly or untruly, that the givers must be bribed to give what they know belongs to the people; and that the receivers, paying for their gift in crime as well as in money, naturally oppress the labor in their employ, so that before the recent revolts sixteen hours a day was declared to be, in some cases, not an unusual exaction. Labor, however, even if it is properly treated, is likely to be unreasonable,

for it believes that its employers are reaping great gains which do not belong to them. Now, Law and Democracy, in conjunction, might possibly settle this source of trouble very speedily, and probably in a liberal spirit. Except upon full and open trial and proof of such offences as forfeit all claim to forbearance, they would be likely to confiscate nothing. They would redeem for the people franchises which the servants of the people never should have given away; and they would do even this only upon compensation. It might be argued that the resumption of such franchises, in such a spirit, would not open the door to unjust interference with other forms of private property, but that, on the contrary, it might give sanction and protection to such property. It would be insisted that it may not be safe to accustom plain people too long to the perversion of the proper meaning of the word property, so as to make it include everything, however wrongly obtained, as if such possession shared the sacred character of that property which is alone worthy of the name—property honestly acquired; and it would be urged that the spectacle of capitalists bribing public servants to betray to them their public trusts, and then standing as highwaymen upon the highways of a city, and levying upon every workingman, each morning and evening of the year, such tolls as will give great profits, not only with the acquiescence, but with the commendation of their fellow capitalists, is not calculated to inspire Democracy with profound respect for the rights of property in any form; but that the use of the public highways in the public interest only would be a far more elevating sight, and one much better calculated to create a proper reverence for other existing rights. As with the highways, so it may be urged in respect to the other necessities of civilization the supply of which naturally becomes a monopoly in a municipality—water, light, heat—that the furnishing of these ought also to be in the public interest only, and not in that of private corporate capital. Law and Democracy, if acting together, might probably soon address themselves to the resumption by the public of all such privileges, if such franchises are easily within the ordinary scope of municipal management, and some of them are now in the actual control of well-governed cities. And whenever franchises existed, essentially public in their nature and tending to create a monopoly, which were within the reasonable scope of management by the public and

in its interest, Democracy would be very likely, with the help of Law, to enable the public to undertake the administration of them, for the people would be easily persuaded that their control was not likely to be more fruitful of corruption and crime than the possession of such franchises by private persons, while some portion of the gains capital had thus drawn from the laboring classes might be secured for the public treasury, and be devoted to public uses.

In our system for the division of legislative authority, almost all corporate enterprises now in private ownership, if resumed by the people at all, would be subject either to municipal or national control. Very little scope, if any, would be left to the State, and the functions of the Nation would probably be limited, even in the wishes of many socialists, to the furnishing of the currency, the transportation of persons and property, and the transmission of intelligence. The latter function the nation now discharges in great part, and, perhaps, considering its entire history, the record of no great administrative service is more creditable than that of the postal service of the United States. It has also gradually acquired the right to transmit goods in small quantities, and this function it discharges as admirably and as greatly to the public advantage as the older one. The addition of the telegraph to the post-office is still resisted, but it is claimed it will not be long delayed, and that department might then present the most extensive, the most beneficent, and the most economical service ever conferred upon mankind under a single organization. With this example before it, Democracy might some day seriously consider the feasibility of assuming control of the entire transportation system of the country; but it would consider long before taking this step, for it would know that the experience of the nations of Europe, in making this experiment, would not be likely to aid us to any great extent, in view of the vast differences of the conditions of the problem. It would probably never assume any such burden, but the subject would be present to the minds of men, with the knowledge not only that there are far-reaching considerations on both sides of the question, but that transportation may become so concentrated and so absolute in its control of the general business of the country that it would be necessary to transfer its administration from private hands for private interests to the public authority in the public interest; and if the

balance of the public welfare was ever clearly in favor of the step, the majority might take it; but they would take it only in the name and under the forms of law, upon reasonable compensation to its owners, and upon the decisions of the appointed courts of justice that the taking was within the lawful scope of the public authority. The only serious obstacle to this conservative course—and that obstacle will eventually be overcome—would be found in the popular belief, unhappily only too general, that capital has in many instances secured its property as well as its franchises by the corruption of the servants of the people—a crime which Democracy is likely always to regard as a crime against civilization itself, a poisoning of the wells of the people, whence they draw their life. It is this belief which imparts to the unrest of labor much of the bitterness which attaches to it, and which gives, almost alone, serious importance to the bitter denunciations, spoken and written, of all capitalists and of all corporations to which labor is now being too much accustomed. If honestly-acquired property is ever in real danger, it may be chiefly due to the conduct of men who were willing to secure legislative or judicial favor by purchase, to gather wealth through infamy and wrong, and yet who, in times of trouble, would expect the protection of the law which they had helped to degrade and the aid of the justice which they had helped to betray. Indeed, it sometimes appears as if some capitalists were determined to leave no ground of respect among the masses of the people for capital, nor any basis, in the democratic ages, for the sanctity which ought to attach to private property.

The first functions allotted to Law, under the new order of the government of the many, would naturally be in the directions mentioned, but its functions might not end there. Legislation would, no doubt, quickly follow in many directions, especially in attempts to limit the acquisition of wealth, both directly by the fixing of limits and indirectly by taxes, both in life and at death calculated to turn any excess into the public coffers. Law might also be invoked to attempt to fix the hours of labor and the scale of compensation; and in its earliest days of victory Democracy would, doubtless, be in great danger not only of economic follies, and of attempting matters beyond its control, but of passing under the domination of its worst enemies, the advocates of violence and the believers in anarchy.

If such men acquired even a temporary leadership of the new

movement, it is possible, of course, that they might mislead, and by misleading, greatly inflame the minds of many dwellers in cities by representing capital as the oppressor of the poor in the same spirit in which the nobility of France was represented as their oppressors a hundred years ago, and some repetition might then be attempted of those crimes at which humanity still shudders; for while the conditions of the two cases differ as light differs from darkness, yet mobs are always capable of becoming as wild beasts, and to-day's dislike of inequality sometimes looks as if it might temporarily pass into some semblance to the mad, blind hatred and rage which then suddenly flamed out of the depths of hell, after centuries of endurance of all contumely and bitterest wrongs. Every lover of order and of peace ought therefore to help to remove all just grounds of complaint, instead of seeking to live in a fool's paradise, where all things unpleasant are ignored or denied, and only smooth prophesyings of placid ease and luxury are welcomed.

If, however, such trials ever come to us, the forces which American civilization holds in reserve will be entirely adequate to deal with them. It is only in times of supreme peril that such forces assert their presence, and it is only a healthy and vigorous organism which develops and preserves them. Free government in America with all its faults is such an organism, and it can confidently rely upon their saving power against the day of evil fortune. All the noblest impulses of a common nature will then again mould us into one patriotic people before whose consuming wrath will perish all who strike at liberty through law.

But let us rather listen to reason, speaking the language of hope. The common people are "rich in common sense," and they could not if they would yield long to political frenzy and the crimes which follow it. On the contrary, their inborn respect for law and public order and the rights of their fellow-men would constrain them to follow in the old and well-worn paths in which their fathers trod. Walking in those paths, we may also hope that such guidance would attend them as would lead them

"On with toil of knees and heart and hands—  
 \*           \*           \*           \*           \*           \*  
 \*       \*   close upon the shining table lands,  
 To which our God himself is moon and sun."

Under such guidance government of the many might confer inestimable blessings upon society, and it is far more agreeable, and perhaps as profitable, to indulge in such conjectures than in those of an evil tendency. And who will venture to place limits to the possible advance in good directions of the democratic spirit, if only we, the minority, all strive to do our duty to enlighten, to chasten, to purify, to ennoble the lives of those who may one day hold in the hollow of their hands the existence of our beloved country? Strengthened with our strength, illumined by our wisdom, and aided by our sympathy, there are many good directions in which Law as a handmaid of Democracy might take long strides forward.

For our pleasure only, and only for to-day, and as part only of an academic exercise, we may allow our imagination to present to us some such possibilities of the future. Law in the service of Democracy might begin its activity by making public education a matter of far wider importance than under the government of a minority, who feel themselves able to give to their children in private schools and universities the advantages of a higher and broader culture than is provided for the children of the poor; while the poor may naturally desire that the inequality they have suffered shall not extend to their children. There might thus be secured one harmonious and connected system, under the patronage and control of the State, of all the various stages of intellectual training, from adequate primary schools to noble and well-equipped universities.

Possibly art and letters for the same general reasons might be placed under the fostering care of Law and receive governmental appreciation and support under the rule of the majority. The possessors of private libraries and private galleries, as well as those persons who feel that such collections are possible to them, often naturally fail to appreciate why the State, in its organized capacity, should give countenance and aid either to literature or to art. Democracy, on the other hand, might perceive that many of the majority would have opened before them a new heaven and a new earth, if the pathways of art and letters, which lead to the summits of the olive mountains, were familiar to their feet. The humane and civilizing influences of such familiarity can hardly be overestimated. It is indeed impossible to know how great is the tendency of good books, of noble pictures, of marbles which are of themselves an education in grace and beauty, to

diminish the passions which more than any other threaten the repose of modern society, the passions "of envy and hatred, and malice and all uncharitableness," to gently lead men towards the peace which is born of contentment and joy, and to lift their habitual thoughts into a purer and serener air. And perhaps few masses of people were ever more susceptible to such influences than are our fellow-countrymen. For the lifetime of an entire generation the great majority of American children have received more or less education, and have enjoyed some familiarity with books, with pictures, with travel, with the rapidly shifting and instructive scenes and experiences of American life. Such a population is peculiarly fitted to find satisfaction for its desire for a loftier ideal of life, in the revelations of truth and beauty, of which literature and art, under the inspiring patronage of an elevated public spirit, are the divinely-appointed ministers. Neither of these great agencies for the humanization of man in society is at its best at the call of private patrons. Indeed, literature long ago found its very life was incompatible with such bondage of the spirit, and thenceforth spoke only to the public; and even it might be greatly benefited by the sense of responsibility which attaches in all noble spirits to a public service, and by the elevating and inspiring enthusiasm of teachers of the people, dedicated to the elevation of the standards of human life. Art, in like manner, suffers when it abandons its public function of realizing in visible shape its dreams of immortal beauty for the instruction of humanity, to serve the bidding of private persons. It is not while engaged in such tasks for such taskmasters that the flowering times of the human spirit ought to be expected to recur to confer their blessings upon mankind. It is probably only in the public service, in the service of the race of which they are a part, and under the inspiration of an all-embracing human sympathy that great writers as well as great artists are ever likely again to bless mankind with the choicest fruits of their labors; and the people might be persuaded to rise to the noble height of calling to their service influences so admirably designed to give light and warmth and truth and glorious color to the common life of men.

It sounds, of course, at present like a wild suggestion, but, after all, why may we not hope that Democracy, if it started upon such a course, and was properly encouraged, would complete



the circle of its beneficent influences upon society by adding the last and greatest of blessings—by taking religion also under the protecting care of the State? It is indeed “a far cry” to the time when dogmatic theology will not only be regarded as unnecessary to the teaching of religion but as incompatible with it; and yet the future, which has in store so many surprises, may be reserving this also—religious instruction in America as a part of all public education.

The masses of the people might conclude that the making of character was a more important part of education than the giving of information, if they learned that education divorced from religion may be a danger rather than a safety to the State, and may really increase crime rather than diminish it. Instruction in the laws of right conduct and the helping to make truthful and honest children might then seem more desirable than mere additions to their knowledge; and while moral instruction would not necessarily include the doctrines of religion, the drawing of Democracy to Christianity can only be a question of time. The pronounced hostility of Socialism even is directed only against the dogmas of theology and the practices of professing Christians, and not against Christ’s own precepts or practice, while the life of the Master and the lives of his apostles and martyrs are powerfully and constantly appealing to the loftiest aspiration of the democratic spirit to accept His guidance and leadership in the long wandering which awaits it, through the desert, to the promised land.

However impracticable the suggestion may appear to be, it can do no harm to reflect upon the probable consequences of making the cardinal doctrines of religion a part of the daily instruction of American youth—self-sacrifice rather than self-indulgence, humility rather than vanity, equality rather than privilege, the “doing unto others as you would they should do unto you,” rather than the rule of “each man for himself,” the old idea of the vanity of riches rather than the new idea that they alone have any real value, the worthlessness of ill-gotten gain, rather than its worth as a passport to rank and respect, the priceless value of veracity, the worth of honesty. The constant and repeated contrast of such ideals of human life would help, not harm, both the children and the society of the future, which is to receive its form and pressure at their hands.

While the difficulties would be very great in bringing religion in America within the domain of the government, Law and Democracy might not find them insurmountable, if they ever set themselves seriously to the task of overcoming them. Indeed, if even the essential doctrines of morality were made for the children of the public schools "familiar in their mouths as household words," they would be likely to discover, when they came to man's estate, some practical method of securing for religion also a place among the recognized functions of the State; and it is incalculable how much such a recognition would add to the dignity, the stability, the authority, and the refining and civilizing influences of popular government.

If, therefore, government by the minority, seeking the greatest good of the smaller number, is ever to give way to government by the majority, seeking the greatest good of the larger number, let us endeavor at least to hope if we may not believe that among the functions it will assign to Law may be the lofty tasks of securing adequate public recognition and support of education in all its stages, and a like recognition of literature, of art, and, if possible, of religion, so as to withdraw, to some extent, from the hard lot of labor its ignorance, its hideousness, its bitterness, its hopelessness, and to supply their places with a growing sense of knowledge, of beauty, of charity, of hope, until those to whom it has been allotted to "labor and to wait" will find their patient toil illumined by—

"Such light as never was on sea or land,"

and themselves transformed by the daily companionship of the virtues and graces and promises of life into fit partakers of the brotherhood of men, in the fatherhood of God.

If we were cheered by such anticipations, and fortified by such hopes, of the future of American Democracy, we could repeat with full hearts those well-known words of welcome, spoken on Plymouth Rock:—

"Advance, then, ye future generations. \* \* \* We bid you welcome to the pleasant land of the fathers. \* \* \* We greet your accession to the great inheritance which we have enjoyed. \* \* \* We welcome you to the inestimable blessings of rational existence, the immortal hope of Christianity, and the light of everlasting truth."

What, then, gentlemen, is the conclusion of the whole matter? Only the homely and old-fashioned conclusion that the peace, the prosperity, and the happiness of our beloved country rest, and can only rest, upon the virtues of her people, upon the cultivation among all classes of a spirit of liberty, of equality, of fraternity. And it will always be true, under any political system possible for us, that the best way of creating a proper reverence for Law is by taking care that Law is worthy of reverence by its singleness of devotion to the general welfare; that the best security for private property is in taking care that it is only honestly acquired; and that the best way of developing a patriotic spirit is by helping to make and keep all the ministries of the State pure and beneficent. No class of her citizens can do more to enable her to realize this high ideal of good government than the lawyers of the country. They are sworn officers of justice, dedicated to service in her temple, and, therefore, to you, in an especial manner, appeals the urgent obligation of educated citizenship in America to-day:—to determine that so far as is in your power the laws of your country shall be purely made, purely administered, and purely executed; that public franchises shall be redeemed when improperly diverted, and when not redeemed shall be supervised in the public interest and for the public welfare; that mere aggregations of capital under corporate protection shall be discouraged rather than encouraged; and that every man who earns his daily bread by labor may be assured that the law will provide an impartial tribunal where his complaints will be patiently heard and fairly decided, while all the elevating and refining influences which attend upon civilization shall be far more generally and widely diffused than ever before.

In these ways and in others we know not of, our social and political system of life in America might, by the blessing of God, be placed upon the broader, the more humane, and the more enduring basis of purer law, of wider liberty, of greater equality; and then, at last, the Nation, long foretold, might appear whose foundations were laid in fair colors, and whose borders were of pleasant stones; and to it the promise of the prophet might be redeemed: “ALL THY CHILDREN SHALL BE TAUGHT OF THE LORD, AND GREAT SHALL BE THE PEACE OF THY CHILDREN.”









LIBRARY OF CONGRESS



0 019 308 906 9